

**TOWN OF FREDERICK, COLORADO
RESOLUTION NO. 10-R-__**

**A RESOLUTION OF THE TOWN OF FREDERICK, COLORADO, EXTENDING
A MORATORIUM ON REVIEW AND ISSUANCE OF LICENSES AND
PERMITS FOR MEDICAL MARIJUANA CENTERS WITHIN THE TOWN**

WHEREAS, on December 8, 2009 the Town of Frederick determined that additional time was needed to allow state policy to evolve on the topic of commercial medical marijuana activities, and adopted a 180-day moratorium on accepting, reviewing, or otherwise permitting medical marijuana enterprises in the Town;

WHEREAS, on May 11, 2010, the Colorado State Assembly passed House Bill 10-1284, creating a state regulatory scheme for commercial medical marijuana activities, which is now before the Governor; and

WHEREAS, the Board of Trustees have decided that new legal developments, the Governor's consideration of HB 10-1284, and the need for state policy to evolve on the topic, warrants extension of the current moratorium on accepting, reviewing, or otherwise permitting commercial medical marijuana activities in the Town.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF
THE TOWN OF FREDERICK, WELD COUNTY, COLORADO THAT;**

Section 1. The Board of Trustees for the Town of Frederick determined on December 8, 2009 that uncertainty regarding state regulation of commercial medical marijuana activities warranted adopting a short-term moratorium in the Town on permitting or accepting applications for local commercial medical marijuana activities, in order for the Town to study how to most effectively address the subject.

Section 2. In May, 2010, the Colorado State Assembly approved a bill that is now before the Governor regarding regulation of commercial medical marijuana activities.

Section 3. The Board of Trustees has determined that the need for additional studies under the Local Government Land Use Enabling Act regarding the impact of the current bill warrants an extension of the current moratorium, which will expire on June 6, 2010.

Section 4. A one hundred eighty (180) day extension of the current moratorium on the acceptance of any land use, business license, or other application for medical marijuana activities, including commerce in related products, is hereby adopted, further suspending any Town obligation to accept or process any application related to medical marijuana activities.

Section 5. Commercial ventures involving medical marijuana growth, distribution, dispensing or any other activity involving commerce in medical marijuana or related products are not currently permitted under the Frederick Municipal Code or the Frederick Land Use Code.

Section 6. For the duration of the moratorium, no commercial venture involving medical marijuana growth, distribution, dispensing or any other activity involving commerce in medical marijuana or related products shall be permitted within the town limits.

Section 7. This moratorium shall begin on the date of this Resolution and shall expire 180 days from such date, unless sooner repealed by the Board of Trustees, and may be extended as permitted by statute.

Section 8. **Effective Date.** This resolution shall become effective immediately upon adoption.

Section 9. **Repealer.** All resolutions, or parts thereof, in conflict with this resolution are hereby repealed, provided that such repealer shall not repeal the repealer clauses of such resolution nor revive any resolution thereby.

Section 10. **Certification.** The Town Clerk shall certify to the passage of this resolution and make not less than one copy of the adopted resolution available for inspection by the public during regular business hours.

INTRODUCED, READ, PASSED, AND ADOPTED THIS 25TH DAY OF MAY, 2010

ATTEST:

TOWN OF FREDERICK

By _____
Nanette S. Fornof, Town Clerk

By _____
Eric E. Doering, Mayor